



DOCKET NO: D0570.70005US01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Larry B. Gray
Serial No: 10/699,524
Confirmation No: 4208
Filed: October 30, 2003
For: PUMP CHAMBER HAVING AT LEAST ONE SPACER
FOR INHIBITING THE PUMPING OF A GAS
Examiner: William H. Rodriguez
Art Unit: 3746

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

The undersigned hereby certifies that this document is being placed in the United States mail with first-class postage attached, addressed to MAIL STOP AMENDMENT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on December 30, 2004.



Christine Gardner

MAIL STOP AMENDMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

RESPONSE TO OFFICE ACTION

In response to the Office Action mailed June 30, 2004, reconsideration of the above-identified application is requested in view of the following remarks and the enclosed Terminal Disclaimer.

REMARKS

Double Patenting Rejections

In numbered sections 2 and 3 of the Office Action, claims 1-13 of the pending application were rejected under the judicially-created Doctrine of Double-Patenting over claims 1-13, respectively, of U.S. Patent No. 6,663,359 (the '359 patent). However, the Office Action in numbered section 2 stated that a timely filed Terminal Disclaimer in compliance with 37 C.F.R. §1.321(c) may be used to overcome these rejections. Without acceding to the correctness of any of the above rejections, enclosed herewith is a Terminal Disclaimer with respect to U.S. Patent